

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

AGREED ORDER AND JUDGMENT
TO REVOKE SUPERVISED RELEASE

Upon Petition of the U.S. Probation Office, joined herein by the United States and the defendant, to revoke the supervised release of defendant Willie Gregory Cole, for good cause shown therein, and based on agreement of the parties as set forth herein:

AGREEMENT OF UNITED STATES AND DEFENDANT

The defendant stipulates and agrees that the government may prove the facts pertaining to the New Law Violations alleged in the Petition by way of the written proffer set forth by the Probation Office in the Petition. That written proffer provides as follows:

2. NEW LAW VIOLATION (Date violation concluded: 12/1/2021).

The defendant has violated the condition of supervision that states, "The defendant shall not commit another federal, state, or local crime," in that, on or about December 01, 2021, in Mecklenburg County, North Carolina, a warrant for arrest was issued by the Charlotte-Mecklenburg Police Department (CMPD) for the defendant, charging him with (M) Assault on Female (Dkt. No. 21CR237580), in violation of North Carolina General Statute § 14-33(a). This warrant was served on January 31, 2022, and the matter remains pending in the Mecklenburg County District Court.

According to the warrant for arrest, the defendant unlawfully and willfully struck a female victim by hitting her in the nose and mouth with a closed fist through an open car window. It is reported that the defendant's strike caused both bleeding and swelling of the female victim.

GRADE C VIOLATION.

3. NEW LAW VIOLATION (Date violation concluded: 1/18/2022).

The defendant has violated the condition of supervision that states, "The defendant shall not commit another federal, state, or local crime," in that, on or about January 18, 2022, in Mecklenburg County, North Carolina, a warrant for arrest was issued by the Charlotte-Mecklenburg Police Department (CMPD) for the defendant, charging him with (M) Assault on Female (Dkt. No. 22CR201661), in violation of North Carolina General Statute § 14-33(a). This warrant was served on January 31, 2022, and the matter remains pending in the Mecklenburg County District Court.

According to the police report, Officer T. Robinson responded to a domestic violence assault call that occurred at 220 Frazier Ave., Charlotte, NC. Upon arrival, the alleged victim indicated that her child's father (the defendant) punched her in the face and broke her finger while she was holding their child. The incident occurred when the defendant wanted to hold their child. Once he was able to hold his son, he instructed the mother of his child to move away from the area and not return. In addition, the defendant made a comment that he would do something to her if he saw her out. Therefore, an argument initiated between the alleged victim and the defendant. Subsequently, the defendant used his finger and pushed the victim's face so hard that it forced her against the screen door. Further, the victim stated that the defendant slapped her on the right side of her face (the police officer observed a cut on the victim's upper lip). At that point, the victim ran inside the residence and the defendant followed her inside. Once inside, it is reported that the

defendant pushed the victim three additional times while she was holding their infant son. Additionally, the defendant allegedly grabbed the victim's left pinky finger and twisted it. The assaultive behavior stopped when the victim's sister arrived. The defendant was asked to leave the residence by another third party. The defendant ran outside the house and left. The victim denied transportation to medic after medic arrived on scene. **GRADE C VIOLATION.**

4. NEW LAW VIOLATION (Date violation concluded: 1/31/2022).

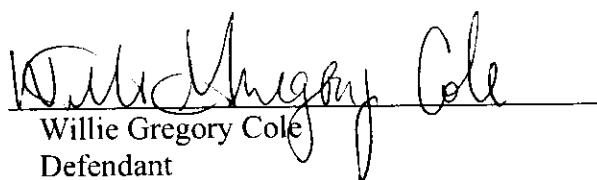
The defendant has violated the condition of supervision that states, "The defendant shall not commit another federal, state, or local crime," in that, on or about January 31, 2022, in Mecklenburg County, North Carolina, the defendant committed the offense of (M) Resisting Public Officer (Dkt. No. 22CR203084), in violation of North Carolina General Statute § 14-233. This matter remains pending in Mecklenburg County District Court.

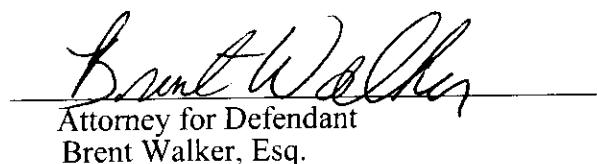
According to the police report, on January 31, 2022, officers responded to a warrant service call at the intersection of West Trade Street and 5th Street in Charlotte, North Carolina. The warrants were confirmed to be for the defendant's arrest (two counts of Assault on a Female). Upon the officer's arrival, they observed the defendant in front of the Dollar Tree store. After confirming the defendant's identity, the officers exited their patrol vehicle to make contact with the defendant. Prior to the officers making contact with the defendant, the defendant began to run down a side street towards 5th Street, Charlotte, NC. It is reported that the defendant continued to run after the officers announced themselves and asked him to stop. The defendant was apprehended after a brief pursuit. The defendant made a comment to the police officer's that he would have kept running if he had not tripped. **GRADE C VIOLATION.**

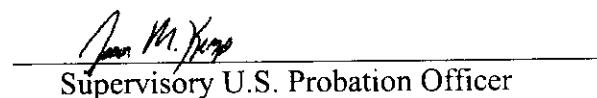
- 2) The opportunity to make a statement personally to the Court in mitigation of sentence and to present mitigating evidence to the Court.

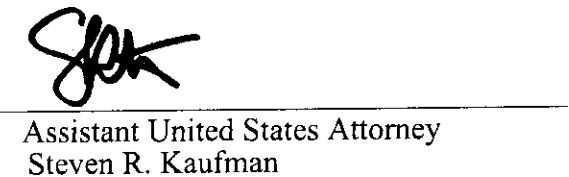
If the Court accepts the agreed sentence, the defendant knowingly waives the right to contest the revocation of supervised release and the defendant's sentence in any appeal or post-conviction action. Claims of (1) ineffective assistance of counsel and (2) prosecutorial misconduct, and those claims only, are exempt from this waiver.

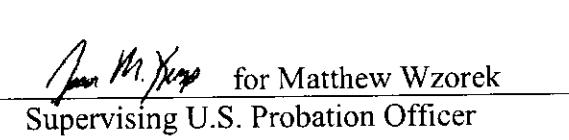
APPROVED


Willie Gregory Cole
Defendant


Brent Walker
Attorney for Defendant
Brent Walker, Esq.


Supervisory U.S. Probation Officer


Steven R. Kaufman
Assistant United States Attorney


Steven R. Kaufman
Supervising U.S. Probation Officer

AGREED SENTENCE

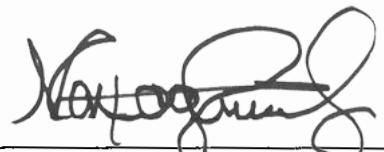
Based on the foregoing, the Court finds as fact by a preponderance of the evidence that the Defendant is guilty of the alleged violations of supervised release, including the New Law Violations set forth in the Petition.

Upon agreement of the parties as set forth above, it is hereby ORDERED that the previously imposed period of supervised release is REVOKED.

It is further ORDERED that the defendant Willie Gregory Cole be and is hereby SENTENCED to a term of imprisonment of 13 months on each of Counts One, Two, and Three of the original Judgment, to run concurrently, with no further supervised release to follow.

In all other respects, the Judgment previously entered in this matter remains in full force and effect.

So ORDERED and ADJUDGED, this the 31st day of May, 2022.



Max O. Cogburn, Jr.
U.S. District Court Judge